

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

United States of America, :

 Plaintiff, :

 v. : Case No. 2:03-cr-0120

Antonio L. Blalock, :

 Defendant. : JUDGE FROST

DETENTION ORDER

The above defendant appeared before the Court for a detention hearing on September 14, 2006. Following the hearing, he was detained without bond pending further proceedings on the petition to revoke supervised release. The purpose of this order is to set forth in writing the reasons for that decision.

On September 11, 2006, the Probation Officer filed a petition to revoke Mr. Blalock's supervised release on grounds that he had committed new criminal offenses. He waived a preliminary supervised release revocation hearing. At the detention hearing, a Columbus Police Officer testified that, after attempting unsuccessfully to stop Mr. Blalock for a traffic offense, a chase ensued during which Mr. Blalock drove at high rates of speed through residential neighborhoods, eventually fled police officers on foot, and engaged in a fist fight with the officers before finally succumbing to their request that he submit to arrest. A quantity of marijuana was found during this chase and Mr. Blalock admitted to an agent of the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives that he had been acting as a middleman, transporting marijuana from a seller to a buyer, on several occasions and being paid for his efforts.

Once a probable cause is established to support a supervised

release violation, it becomes the defendant's burden to persuade the Court by clear and convincing evidence that he is neither a danger to the community nor a risk of flight. Here, Mr. Blalock did not present any evidence other than arguing that until this particular incident, he had been adjusting well to his conditions of supervision. That evidence is simply insufficient to persuade the Court that his re-release on the same conditions would deter him from engaging in future criminal activity. His willingness to flee police officers, to resist arrest, and to drive in a way that endangered others also indicates that he is a danger to the community, and he did not provide clear and convincing evidence to rebut that inference. For those reasons, he was detained without bond pending his final supervised release revocation hearing.

The defendant was advised of his right to seek review of this detention order by a United States District Judge pursuant to 18 U.S.C. §3145(b).

/s/ Terence P. Kemp
United States Magistrate Judge